

## REGISTER OF CLASSIFICATION DECISIONS

|                                  |                                                             |
|----------------------------------|-------------------------------------------------------------|
| Date of entry in Register:       | 27 May 1998                                                 |
| Name of applicant/court:         | Marie - Pauline Lompas                                      |
| Applicant to the Labelling Body: | Not Applicable                                              |
| Title of Publication:            | Untitled                                                    |
| Other Known Titles:              | Swingers Delight Adult Contact Magazine -<br>Photograph # 3 |
| Director:                        | Not Applicable                                              |
| Producer:                        | Not Applicable                                              |
| Publisher:                       | Not Stated                                                  |
| Author:                          | Not Applicable                                              |
| Format:                          | Photograph                                                  |
| Country of Origin:               | New Zealand                                                 |
| Language:                        | Not Applicable                                              |

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**Components of film originally examined:**

|                      |                 |                     |
|----------------------|-----------------|---------------------|
| Feature:             | Not Applicable  | Running time:       |
| Trailers:            |                 | Running time:       |
|                      |                 | Total Running time: |
| Excision/Alteration: | Not Applicable. |                     |

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to Marie-Pauline Lompas.

Display Conditions:

Not Applicable.

Descriptive Note:

... Please turn over

Not Applicable.

Direction to issue a label has been given on Not Applicable.

**SUMMARY OF THE REASONS FOR DECISION:**

The Classification Office classifies the untitled photograph known as *Swingers Delight Adult Contact Magazine - Photograph # 3* as:  
Objectionable except if the availability of the publication is restricted to Marie-Pauline Lompas.

The photograph shows a woman posing solo on what appears to be a bed. She is on all fours, facing away from the camera, wearing black stockings and a red dress which is lifted to show her bare buttocks and anus, which are in the foreground. Her head is obscured.

The photograph degrades and dehumanises the woman pictured to a high degree. The viewer's attention is drawn primarily to the woman's buttocks/anus by their placement at the centre and in the foreground of the image. Her head and face are obscured. The photograph is brightly lit and this increases its impact. The effect of these factors is to present the woman as an anonymous set of sexual organs. As a single image, the photograph contains no contextual factors to mitigate these degrading and dehumanising factors. The general availability of the photograph would therefore be likely to be injurious to the public good.

The Classification Office considers that the likely harm to the public good which could arise from the general availability of the photograph would be significantly reduced if the availability of the photograph is restricted to its current owner. The Classification Office therefore upholds the owner's right to retain their own product for their own private use. The Classification Office has ascertained that the owner of the photograph is Marie-Pauline Lompas.

Section 14 of the New Zealand Bill of Rights Act 1990 (the NZBR Act) protects the freedom to seek, receive, and impart information and opinions of any kind in any form. The Classification Office is satisfied that the restriction of the availability of this photograph to its owner is a reasonable limit on s14 of the NZBR Act, and is the least restrictive classification possible within the parameters set by the Films, Videos, and Publications Classification Act 1993.

OFLC Ref: 9701112